

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PLUMBERS AND STEAMFITTERS LOCAL :
137 PENSION FUND, Individually and on :
Behalf of All Others Similarly Situated, :
Plaintiff, : Civil Action No. 15-cv-05999 (PGG)
vs.
AMERICAN EXPRESS COMPANY, :
KENNETH I. CHENAULT and JEFFREY C. :
CAMPBELL, :
Defendants.

x

NOTICE OF INTENT NOT TO AMEND THE COMPLAINT

Court-appointed Lead Plaintiff Pipefitters Union Local 537 Pension Fund (“Local 537” or “Plaintiff”), respectfully submits this Notice of Intent Not to Amend the Complaint.

This Court’s Memorandum Opinion & Order, dated September 30, 2017 (ECF No. 54), granted: (1) Defendants’ Motion to Dismiss Plaintiff’s Amended Complaint and (2) granted Plaintiff leave to amend the Amended Complaint.

Plaintiff elects not to file a second amended complaint on the grounds that Plaintiff believes the Amended Complaint satisfies applicable pleading standards set by Rule 9(b) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995.

Plaintiff respectfully requests that the Court enter a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DATED: November 17, 2017

Respectfully submitted,

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